

Preliminary Amendment
Applicant(s): SRIENC et al.
Serial No. 10/090,965
Filed: March 4, 2002
For: *PRODUCTION OF POLYHYDROXYALKANOATES*

Page 16 of 17

Remarks

The Office Action mailed December 16, 2003, has been received and reviewed. Claim 94 having been added herewith, the pending claims are claims 1-94. Claim 94 is supported by, for example, claim 34 as originally filed.

Restriction/Election

In response to the Restriction Requirement mailed December 16, 2003, Applicants elect, with traverse, Group I (claims 1-13 and 27-33), drawn to a method of producing a polyhydroxyalkanoate (PHA) with a transgenic yeast cell comprising a PHA polymerase and either a heterologous β -kethothiolase or acetoacetyl-CoA reductase or both.

It is respectfully requested that new claim 94, which depends from claim 1, be included in elected Group I, and examined along with claims 1-13 and 27-33.

Applicants' Representatives reserve the right to pursue examination of the non-elected claims in continuation or divisional applications. Applicants respectfully request reconsideration of the restrictions in this case and submit that the inventions as claimed can be readily evaluated in one search without placing undue burden on the Examiner.

Preliminary Amendment
Applicant(s): SRJENC et al.
Serial No. 10/090,965
Filed: March 4, 2002
For: PRODUCTION OF POLYHYDROXYALKANOATES

Page 17 of 17

Conclusion

The Examiner is invited to contact Applicants' Representatives at the below-listed telephone number, if there are any questions regarding this Preliminary Amendment or if prosecution of this application may be assisted thereby.

CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper is being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 5 day of February 2004, at 1:15 pm (Central Time).

Sandy Truehart
Name: Sandy Truehart

February 5, 2004
Date

VAS/sjt

Respectfully submitted for
SRIENC et al.

By
Muetting, Raasch & Gebhardt, P.A.
P.O. Box 581415
Minneapolis, MN 55458-1415
Phone: (612)305-1220
Facsimile: (612)305-1228
Customer Number 26813

By: Victoria A. Sandberg
Victoria A. Sandberg
Reg. No. 41,287
Direct Dial (612)305-1226